

**MONTGOMERY COUNTY BOARD OF COMMISSIONERS**

**ORDINANCE 2015-18**

**ORDINANCE REITERATING AND ADOPTING TITLE VI OF THE CIVIL RIGHTS  
ACT OF 1964 INTO THE MONTGOMERY COUNTY CODE**

WHEREAS, it is the policy of Montgomery County that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance;

AND WHEREAS, the Civil Rights Restoration Act defines “any program” as all of the operations of “(A) a department, agency, special purpose district, or other instrumentality of a State or of local government; or (B) the entity of such State or local government that distributes such assistance and each such department or agency to which the assistance is extended, in the case of assistance to a State or local government”;

AND WHEREAS, Montgomery County’s local government operates under the definition of “any program” as provided by the Civil Rights Act of 1964 and the Civil Rights Restoration Act;

AND WHEREAS, it is the policy of Montgomery County to comply with Title VI of the Civil Rights Act of 1964;

AND WHEREAS, Montgomery County recognizes it is of the utmost importance to expel racial discrimination and to ensure that public funds are not spent in a way which encourages, subsidizes, or results in racial discrimination;

AND WHEREAS, Montgomery County is committed to implementing Title VI of the Civil Rights Act of 1964 administratively, physically and financially;

AND WHEREAS, Montgomery County has and will continue to disseminate sufficient information to applicants, participants, beneficiaries, and other interested persons to inform them of their rights and protection afforded by Title VI of the Civil Rights Act of 1964;

AND WHEREAS, although Montgomery County has enforced and complied with Title VI of the Civil Rights Act of 1964, the County wishes to reiterate its policy under Title VI of the Civil Rights Act of 1964 by adopting a new section in the Montgomery County Code;

IT IS THEREFORE ORDAINED that a new section, Section 36.22, is added to the Montgomery County Code and that this section reads as follows:

**“§ 36.22 Title VI of the Civil Rights Act of 1964 Policy**

- (A) **Policy Against Discrimination:** It is the policy of Montgomery County that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance;
- (B) **Intention to Comply with Title VI of the Civil Rights Act of 1964:** It is the policy of Montgomery County to comply with Title VI of the Civil Rights Act of 1964. If a policy of the County and a provision of Title VI of the Civil Rights Act of 1964 conflict, the Title VI provision will be deemed to be the policy of the County and will be enforceable as if specifically written in this policy;
- (C) **Importance of Equal Treatment:** Montgomery County recognizes that it is important to expel all racial discrimination and to ensure that public funds are not spent in a way which encourages, subsidizes, or results in racial discrimination;
- (D) **Notice of Rights:** Montgomery County has and will continue to disseminate sufficient information to applicants, participants, beneficiaries, and other interested persons to inform them of their rights and protections afforded by Title VI of the Civil Rights Act of 1964;
- (E) **Grievance Procedure:** Montgomery County has adopted and implemented a grievance procedure for complaints under § 36.22 of the Montgomery County Code of Ordinances. The grievance procedure was established to meet the requirements of Title VI of the Civil Rights Act of 1964. It may be used by anyone who wishes to file a complaint alleging *Montgomery County* discriminated on the basis of race, color, or national origin regarding the exclusion from participation in, being denied the benefits of, or being subjected to discrimination under any program or activity receiving Federal financial assistance.
  - (1) The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date and description of the problem.
  - (2) The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

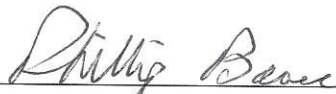
Lori Dossett  
Title VI Grievance Coordinator  
Montgomery County Commissioners Office  
110 W. South Boulevard  
Crawfordsville, IN 47933  
(765) 361-2623  
[Lori.dossett@montgomeryco.net](mailto:Lori.dossett@montgomeryco.net)

- (3) Within 15 calendar days after receipt of the complaint, Lori Dossett or her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Lori Dossett or her designee will respond in writing and where appropriate in a format accessible to the complainant. The response will explain the position of *Montgomery County* and offer options for substantive resolution of the complaint.
- (4) If the response of Lori Dossett or her designee does not satisfactory resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Montgomery County Board of Commissioners.
- (5) Within 15 calendar days after receipt of the appeal, the Montgomery County Board of Commissioners will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after that meeting, the Montgomery County Commissioners or their designee will respond in writing and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.
- (6) All written complaints received by Lori Dossett or her designee, appeals to the Montgomery County Board of Commissioners and responses from these two offices will be retained by *Montgomery County* for at least three years."

**IT IS FURTHER ORDAINED** that this Ordinance takes effect upon adoption.

Adopted this 9 day of NOVEMBER, 2015.

BOARD OF COMMISSIONERS  
OF MONTGOMERY COUNTY

  
\_\_\_\_\_  
Phil Bane, President

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Terry Hockersmith, Vice President

  
\_\_\_\_\_  
James D. Fulwider, Member

Constituting a majority of the Montgomery  
County Board of Commissioners

ATTEST:

  
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Jennifer Andel, Auditor